

### **REMARKS**

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-3, 5-11, and 14-24 are currently being prosecuted. Claims 1 and 9 are amended, and claims 21-24 are added. Claims 1, 9 and 24 are independent. Claims 4, 12 and 13 were canceled by a previous amendment. The Examiner is respectfully requested to reconsider her rejections in view of the amendments and remarks as set forth herein.

#### **Information Disclosure Statement**

It is respectfully requested that the Examiner return an initialed copy of Form PTO-1449 filed on January 7, 2004 in the next Official Communication.

#### **Rejections under 35 U.S.C. §102(b) and §103(a)**

Claims 1 and 3 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theobald (U.S. 6,161,857) in view of McFadden et al. (U.S. 5,746,419);

claims 2, 10, and 18-20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theobald in view of McFadden et al. and further in view of Ichikawa et al. (U.S. 5,620,217);

claims 3-5, 11, 13, and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theobald in view of McFadden et al. and Ichikawa et al. and further in view of Casse (U.S. 4,165,113);

claims 6 and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theobald in view of McFadden et al. and Ichikawa et al. and further in view of Casse; and

claims 8, 16, and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theobald and modified in view of Brumby (U.S. 5,074,407).

**Amendments to Independent Claims 1 and 9**

While not conceding the appropriateness of the Examiner's rejections, but merely to advance the prosecution of the present application, each of independent claims 1 and 9 is amended herein to recite a combination of elements directed to a shock absorbing structure, including a plurality of reinforcing ribs arranged to extend at right angles to the shock to be absorbed, wherein lower ends of the ribs are exposed, and upper ends of the ribs are fixed to the top wall.

The Applicants respectfully submit the combination of elements set forth in each of claims 1 and 9 is not suggested by the combination of Theobald et al. and McFadden et al.

For example, the Examiner concedes that Theobald et al. fails to teach a plurality of ribs. Further, as can be seen in McFadden et al. FIGS. 3 and 5, the ribs of McFadden et al. are arranged parallel to the direction of force.

In addition, while Casse FIG. 2 shows ribs arranged perpendicular to the direction of force, as best understood by the Applicants, the top ends of the ribs are not fixed to a top wall as presently claimed.

At least for the reasons set forth above, the Applicants respectfully submit that the combination of elements set forth in each of claims 1 and 9 is not suggested by the references cited by the Examiner, including Theobald et al, McFadden et al., and Casse.

Therefore, independent claims 1 and 9 are in condition for allowance.

**Arguments Regarding Dependent Claims 18 and 19**

As mentioned above, page 3 of the Office Action states that claims 18 and 19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Theobald in view of McFadden et al. and further in view of Ichikawa et al. The Applicants respectfully submit that this rejection is not proper.

For example, Ichikawa et al. FIG. 1 merely discloses bumper 45 attached by what appears to be a pin to sides of the front wall 73. Nowhere in Ichikawa et al. is there any suggestion of a shock absorbing member including a concave-shaped rear peripheral wall fitted against a convex-shaped wall of the front cover, as set forth in each of claims 18 and 19 of the present invention.

Therefore, the Applicants respectfully submit that claims 18 and 19 should be allowable if rewritten in independent from to include the subject matter of the base and intervening claims.

**Added Dependent claims 21-23**

Claims 21-24 are added herein to set forth additional novel features of the present invention.

Nowhere in any of the references cited by the Examiner is there any suggestion of the plurality of reinforcing ribs being arranged to form spaces having cross sections that are substantially triangular shaped and trapezoidal shaped (as set forth in claims 21 and 22), or

the inclined upper surface of the top wall causes reinforcing ribs at a forward end of the shock absorbing member to have a height that is shorter than said reinforcing ribs at a rear end of the shock absorbing body (as set forth in claim 23).

All dependent claims are in condition for allowance due to their dependence on allowable independent claims, or due to the additional novel limitations set forth therein.

With regard to independent claim 24, this claim is directed to the subject matter of previously presented independent claim 1 and dependent claim 3. The Examiner rejected previously presented claim 3 under 35 U.S.C. § 103 in view of Theobald, Mcfadden et al. and Casse. However, Casse fails to disclose the recitation "wherein some of said plurality of reinforcing ribs includes ribs with partially thinned portions for facilitating the absorption of a shock" as recited in independent claim 24. Specifically, referring to Figure 2 of Casse, the ribs e1 are not "partially thinned," but are entirely thinned. In view of this, the Casse reference fails to make up for the deficiencies of Theobald and Mcfadden. Accordingly, claim 24 should be in condition for allowance.

Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

All claims of the present application are in condition for allowance.

### **CONCLUSION**

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 205-8000.

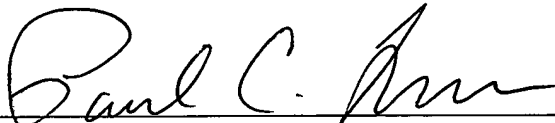
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If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Respectfully submitted,

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